IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

WP(C).No. 1436 of 2007(U)

PETITIONER:

PODIYAMMA, AGED 45 YEARS,
W/O.NARAYANAN, VALLITHUNDIL HOUSE,
THENGAMAM P.O., PALLICKAL VILLAGE, ADOOR,
PATHANAMTHITTA.

BY ADV. SRI.A.X.VARGHESE
SRI.A.V.JOJO

RESPONDENTS:
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1. STATE OF KERALA, REP. BY SECRETARY,
DEPARTMENT OF REVENUE, THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, PATHANAMTHITTA.

3. ADDITIONAL DISTRICT MAGISTRATE,
PATHANAMTHITTA.

4. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, ADOOR,
PATHANAMTHITTA.

5. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, PALLICKAL ADOOR,
PATHANAMTHITTA.

6. DIVAKARAN, THADATHIL KIZHAKKETHIL,
THENGAMAM, PALLICKAL VILLAGE, ADOOR,
PATHANAMTHITTA.

7. NARAYANA KURUPU, VALLITHUNDIL
VADAKKETHIL, THENGAMAM, PALLICKAL VILLAGE,
ADOOR, PATHANAMTHITTA.

8. RAJU, MANGALATHU VEEDU,
THENGAMAM, PALLICKAL VILLAGE,
ADOOR, PATHANAMTHITTA.

9. KOCHUKUNJU KURUPU, SREEDEVI VILASAM,
THENGAMAM, PALLICKAL VILLAGE, ADOOR,
PATHANAMTHITTA.

R1 TO 3 BY G.P. SMT.N.SUDHA DEVI
R4&5 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.1436 of 2007

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Dated this the 16thday of July, 2007.

JUDGMENT

Since Standing Counsel for KSEB submitted that the line drawn is over a pathway, I do not think the petitioner's challenge against the same is tenable because pathway is otherwise used by the public for travelling. In the circumstances, W.P. is closed with the clarification that whatever is the petitioner's claim over the pathway, will not be affected by drawal and retention of electric line over it.

C.N.RAMACHANDRAN NAIR
Judge

pms